

CHAPTER FOUR

BENEFITS

Vacation Leave

As a City employee, you are able to use vacation leave after you have completed six months of service. You can ask for vacation by submitting a Request for Leave of Absence (sample on the next page) to your supervisor. Vacation is granted at the discretion of the department. You need to request the leave at least 48 hours in advance and have the leave request signed by your supervisor before beginning any leave. For employees in certain bargaining units vacation periods are scheduled on the basis of seniority. Ask your supervisor for details of your division's rules and procedures. The City's policy on leaves of absence is contained in **Administrative Order 2-19**

How much Vacation?

You began to earn vacation leave time when you started working for the City. You will earn a certain amount of leave time for each month that you work. If you started before the 15th of the month, you earned leave time for that month. The amount of time you earn depends on which employee group you are in and how long you have worked for the City. Listed in Figure 4.1 are the different categories and how much leave each group earns in a year.

<i>General Employees and Police:</i>		<i>Firefighters and Airport Public Safety Officers:</i>	
<i>1 - 5 years</i>	<i>12 days</i>	<i>1 - 10 years</i>	<i>12 hrs/mo</i>
<i>5 - 10 years</i>	<i>13 days</i>	<i>10 - 20 years</i>	<i>15 hrs/mo</i>
<i>10 - 20 years</i>	<i>15 days</i>	<i>over 20 years</i>	<i>20 hrs/mo</i>
<i>over 20 years</i>	<i>20 days</i>		
<i>Professional Employees (Annual Leave):</i>		<i>Permanent Intermittent Employees:</i>	
<i>1 - 10 years</i>	<i>15.5 days</i>	<i>Permanent intermittent employees earn eight hours of vacation for each 173.33 non-overtime hours worked.</i>	
<i>over 10 years</i>	<i>18.83 days</i>		
<i>In addition, employees in exempt positions receive forty-eight hours of Administrative Leave per year.</i>		<i>Crafts and Trades:</i>	
		<i>Crafts and Trades employees do not receive any paid vacation. Their vacation system is explained in the Salary Resolution.</i>	

Figure 4.1

Employees are allowed to accrue vacation leave up to the limits listed below in Figure 4.2. If you have reached the limit, you will not earn any additional vacation leave. You are responsible for keeping track of your own leave balance. For more information on Vacation Leave see **Municipal Code Section 2-1510**.

<i>General Employees and Police</i>		<i>Firefighters and Airport Public Safety Officers</i>	
<i>1 - 20 years</i>	<i>240 hrs</i>	<i>1 - 20 years</i>	<i>360 hrs</i>
<i>over 20 years</i>	<i>320 hrs</i>	<i>over 20 years</i>	<i>480 hrs</i>
<i>Professional Employees (Annual Leave)</i>		<i>Administrative Leave</i>	
<i>1 - 10 years</i>	<i>800 hrs</i>	<i>Administrative Leave must be taken during the year in which it is granted, and cannot be carried over from year to year.</i>	
<i>over 10 years</i>	<i>800 hrs</i>		

Figure 4.2

Sick Leave

Sick leave is provided for you to use in the event of personal illness or injury or to attend doctor's appointments. Your department head may also approve up to four days of bereavement leave in the event of a death in your immediate family which can be charged against your sick leave balance. Family sick leave and sick leave incentives are available for some bargaining units; see your labor agreement for more information on these programs. Most employees cannot use sick leave until they have been employed for six months.

You earn eight hours of sick leave for each month you work and there is no limit to the amount of sick leave you can accumulate. It is to your advantage to keep your sick leave balance as high as possible. In the event of an off-duty accident, surgery or a long-term illness, you may need to have several months of sick leave available.

Sick leave is not to be used as vacation. Your sick leave usage will be monitored. Continued excessive use of sick leave may result in disciplinary action and/or a reduction in the accrual level. Under some circumstances, your supervisor may require that you provide verification from your doctor of an illness or an office visit. You are encouraged to schedule doctor's appointments so that they do not interfere with your workday.

Unlike vacation or holiday leave, you do not "own" sick leave and you will not normally receive pay for accumulated sick leave when you leave City service. Some unions have incentive plans which allow employees to receive compensation for unused sick leave; if you are in one of these unions, check your labor agreement for details. If you need more information about Sick Leave, see **Section 2-1508 of the Municipal Code and Administrative Orders 2-19 and 2-20**.

Annual Leave

Some groups who are employed in permanent positions at fixed monthly or yearly salaries have annual leave in place of vacation and sick leave. For these employees, annual leave combines both vacation leave and sick leave accumulation rates while simultaneously freezing their existing unused sick leave balances. Employees in these groups who had an existing sick leave balance before the conversion will be able to access that sick leave balance if they have a medically verified extended illness over 40 hours.

The annual leave accrual rate is shown in Figure 4.1 and the maximum accumulation limit is shown in Figure 4.2. Employees in these groups should check their labor agreement for details.

Family Leave

The Federal Family Medical Leave Act and the California Family Rights Act, usually referred to as "FMLA" provide you with certain rights. FMLA requires covered employers to provide up to 12 weeks of unpaid, job-protected leave to eligible employees for certain family and medical reasons. Employees are eligible if they have been employed by the City for at least one year and have worked 1,250 hours in the previous 12 months.

FMLA leave will be granted for any of the following reasons: the birth of a child or to care for the newborn child; placement of a child for adoption or foster care; to care for the employee's spouse, son, daughter, or parent who has a serious health condition; or, for a serious health condition that makes the employee unable to perform his or her job.

The employee ordinarily must provide 30 days advance notice when the leave is "foreseeable". An employer may require medical certification to support a request for leave because of a serious health condition and may require a second or third opinion (at the employer's expense) and a fitness for duty report to return to work. In most situations, the employee must use all paid leave before unpaid leave will be allowed.

The City will maintain the employee's health coverage during the period of FMLA leave. Upon return from FMLA leave, most employees must be restored to their original or equivalent positions with equivalent pay, benefits, and other employment terms. The use of FMLA leave cannot result in any loss of an employment benefit that accrued prior to the start of an employee's leave.

For more information on the Family Medical Leave Act or the California Family Rights Act, see **Administrative Order 2-21**, ask your supervisor, or contact the Human Resources Division.

Holidays and Holiday Leave

The City recognizes the following holidays:

- " January 1
- " the third Monday in January
- " the third Monday in February
- " the last Monday in May
- " July 4
- " the first Monday in September
- " November 11
- " Thanksgiving Day
- " the Friday following Thanksgiving Day
- " Christmas Day
- " any other day declared a holiday by the City Council
- " your birthday
- " Two Personal Business days

Because of varying types of services provided to the public, there are major differences in the way individual departments provide time off for holidays. There are even differences between the various unions about time off, overtime, or compensatory time. Below are some general rules, but you should be sure you discuss this with your supervisor and understand what your department or division policy and practice is before the next holiday comes. Do not assume that these rules apply to your situation; always check them with your supervisor.

If one of these holidays falls on a Saturday, you will be credited with eight hours of holiday leave, if it falls on a Sunday, the holiday is normally observed on the following Monday. If you are not in a pay status at the close of work on the last workday preceding a holiday, you will not receive pay or credit for the holiday. If you are in a position where you receive holiday leave credit in lieu of taking the holiday off, on Injury Pay, or in a Leave Without Pay status could result in you not receiving credit for any holiday during that period.

The Personal Business days consist of eight hours credited to your holiday leave balance on the first of January and another eight hours on the first of July. Some labor agreements provide for employees to request payment for any holiday leave balance in various increments.

Military Leave

Permanent employees who have one year of City service and are members of the National Guard or some other military reserve unit, have certain rights which are provided by State and Federal law. Any reservist called to active duty in the time of war or national emergency has the right to return to their former position when they are released from active duty. Reservists or Guard members are authorized up to 30 calendar days (or the equivalent - up to 173 hours if the leave is taken in two or more segments) of paid leave per fiscal year to perform active duty for training under orders. They are also able to take an additional 150 days of unpaid leave to comply with active duty orders. There are a number of additional laws and regulations that apply to these situations. If you have questions about military leave, contact the Human Resources Division for more information.

Jury Leave

If you are called to jury duty, you will continue to receive your regular pay for any time you are required to be absent from work to serve on a jury. You are required to turn over to the City any payment you receive for jury duty including mileage fees. If you receive a notice to report for jury duty, notify your supervisor immediately so that they will have ample time to adjust work schedules and assignments for the period you expect to be gone.

WORKERS' COMPENSATION

If you have been injured on the job, you are eligible for Workers' Compensation Benefits. But there are some things you should know about work-related injuries. First, the injury must occur in the course of your employment, that is, it must happen on the job. Then, it must be an injury that arises out of your job or is related to the performance of your job duties.

Notification and Medical Care

The City has several obligations to injured employees. First, once it has been determined that your illness or injury is work-related and your claim has been accepted, we are responsible to provide whatever medical services are necessary to cure or relieve from the effects of the injury. These services will normally be provided at no cost to you unless there is some dispute over whether they are necessary.

If you feel that you have suffered a work-related injury, tell your supervisor immediately. If you require medical attention, you will be given a slip to take to the doctor or your supervisor will arrange for you to be taken to the doctor. Normally, you will be treated at one of several occupational medical clinics that usually treat City employees.

If you would prefer that you be treated by your personal physician, you must let the City know before the need for medical treatment arises. Forms that allow you to designate your personal physician are available from the

Human Resources Department. Of course, if the injury is serious, you will be taken to the nearest emergency medical care facility where you will receive whatever care is considered necessary.

Temporary Disability and Injury Pay

Once your claim is accepted, you will also be compensated for any time lost from work due to your injury. The first three calendar days following an on-the-job injury, will be charged to sick leave or leave without pay. This is termed the "waiting period." On the fourth day following the injury, you would begin to receive 66 $\frac{2}{3}$ % of your average weekly wages (averaged over the past year). Temporary Disability pay has a minimum limit of \$126 and a maximum of \$602 per week. If you are hospitalized because of the injury or if you are off for more than 14 days, there is no waiting period and you would be paid Temporary Disability pay for those first three days.

If you are a permanent City employee, one of your benefits is Injury Pay. This is a negotiated benefit that is 85% of your regular pay. Injury Pay may be paid for a total of one year for any one injury and must be taken within five years of the date of the injury. Neither Temporary Disability or Injury Pay is taxed.

Permanent Disability

If the injury is serious enough to leave you with any permanent disability, you will also be compensated for it. Permanent disability awards are not "damages" such as those which are awarded in civil cases. These awards are meant to compensate you for your reduced ability to compete in the labor market. The amount of a permanent disability award is based on the type and severity of the injury, your occupation, and your age at the time of the injury. If your treating doctor indicates that there is some degree of permanent disability, a claims examiner will contact you to explain the procedure of evaluating and rating the disability. If you have chosen to hire an attorney, your attorney will handle most of the details of this process for you.

Vocational Rehabilitation

If you are unable to return to your usual and customary job, you may be eligible for vocational rehabilitation services. If you are off work for a total of 90 days because of an industrial injury, you will be contacted by a rehabilitation representative who will explain the benefits you may be entitled to. If you are planning to return to work and your doctor has indicated that you will be able to return to work, don't be disturbed when a rehabilitation counselor contacts you. The City is required by State law to provide you with this explanation of your potential eligibility for these benefits, and you will not be forced to resign, retire, or change jobs unless your doctor indicates that there is some medical necessity to do so.

If you do need vocational rehabilitation services, every reasonable effort will be made to return you to suitable gainful employment as soon as possible. You will be assigned to a vocational rehabilitation counselor who will research the possibilities of job modifications or alternative job assignments with the City. If it is not possible for you to remain with the City, you will be provided with training or job placement services which make the best possible use of your knowledge, skills and aptitude.

The Legal Process

It isn't necessary to have an attorney represent you in a Workers' Compensation case. The State of California will provide you with free assistance through the office of the Information and Assistance Officer at the local Workers' Compensation Appeals Board. If you feel that you need to retain the services of an attorney, there are a number of local attorneys who specialize in Workers' Compensation law. Fees for these services are usually deducted from your permanent disability award.

UNEMPLOYMENT INSURANCE BENEFITS

Unemployment insurance is a program operated by the State to provide temporary income for those who are unemployed. To be eligible, you must be unemployed through no fault of your own, such as being laid off. If you were terminated for some reason other than misconduct or had a good reason for quitting your last job, you may also be eligible for benefits. You may apply for benefits at any State of California Employment Development Department office.

Unemployment Insurance Benefits are based on your past earnings history. Current benefits range from \$40.00 to \$370.00 per week and usually last for 26 weeks.

STATE DISABILITY INSURANCE

State Disability Insurance (SDI) is another program to provide benefits if you are unable to work due to injury or illness and are not covered by Workers' Compensation insurance or some other disability insurance. The City does not participate in SDI. If you have recently worked for another employer who does participate, you may still be able to collect benefits through this program.

LONG-TERM DISABILITY INSURANCE PLANS

Several employee groups offer disability insurance plans for their members. Since the City does not participate in the State Disability Insurance Program, you might find that this is an attractive option. Check with your union business office for further information about this.

The City pays for a Long Term Disability insurance plan for Management and Confidential employees. You should have received information about this plan with your other insurance paperwork.

DEFERRED COMPENSATION PLAN

What is deferred compensation?

A deferred compensation plan is a way for you (the employee) to set aside a certain amount of your income in a tax-deferred, long-term retirement program. You do not have to pay taxes on this money now, but will pay taxes when you draw the money out of the plan.

Deferred compensation is meant to be a long-range savings plan and should be used as a way to supplement your retirement income. Once money has been put into a deferred compensation plan, you must leave it there until your death, retirement, or termination from City employment. If you quit working for the City, you may transfer these funds into another 457 Plan or take receipt of the funds and pay taxes on them. You can make an early withdrawal of funds from your deferred compensation account only in the event of some severe, unforeseeable financial hardship. In the event of a severe hardship, the City will investigate your circumstances to see if they meet IRS guidelines to allow the City to release your funds.

Funds in a deferred compensation plan are taxable as soon as they are paid out to you. You may contribute up to \$8,000 or 25% of your income (whichever is less) to the City's deferred compensation plan annually. The money can be placed into several different types of investment options depending on your investment objectives and goals. You receive regular statements of your investment accounts and can select from several payout options when it is time to begin taking your money out.

The City's Deferred Compensation Plan is administered by Fidelity Investments. Fidelity Investments regularly makes presentations offering information about the City's Deferred Compensation Program and specific investment options. Notice of these presentations will be given to all City employees. If you have questions about Deferred Compensation, call 1-800-430-2363. To enroll in the Deferred Compensation Program, see your payroll clerk for a participation agreement.

RETIREMENT

The City has two retirement systems. There is the Employees' Retirement System that covers Most City employees and a Fire and Police Retirement System which covers sworn Firefighters, Police Officers and Airport Public Safety Officers and supervisors. Each retirement system has a governing board which meets monthly to conduct the business of the retirement system.

Every permanent, full-time employee becomes a member of one of these retirement systems when they enter City service. The City contributes the largest portion toward your retirement benefits. Each member also makes a monthly contribution to the system which is a percentage of their salary based on age upon entry into the system. Employee contributions are credited to your individual account, and earn interest at a rate set by the Board.

Service Retirement

Each system has different rules for the amount of service necessary to become "vested" in the system and for the age at which members can retire. Members of the Employees System must complete five years service in order to "vest" in the system and become eligible to retire at age 55. Firefighters and Police Officers in tier I become vested in the system after ten years of service and can retire at age 50. Officers in tier II vest in the system after five years of service and can also retire at age 50.

Being vested in the retirement system means that you can leave your money in the system if you leave City employment before retirement age. You may then return and retire at age 50 or 55 (depending on the system). Regardless of whether you stay for a full career or only long enough to become vested in the system, retirement pensions are based on several factors. Among these factors are your age at retirement, years of service, and the rate of pay of the position you held at the time of retirement.

Disability Retirement

One of the biggest differences between the two retirement systems is the provision for disability retirement. Due to the hazardous nature of their jobs, Firefighters and Police are eligible for service-connected disability retirement from the first day of employment. Members of the Employees System must have 10 years of service to qualify for a disability retirement, whether the disability is job-related or not. A disability retirement in the Employees System usually provides for a 33% benefit for persons who have less than 18 years of service.

Deferred Retirement Option Program

Effective January 1, 1998, the City added the Deferred Retirement Option Program (DROP) which is an optional method of receiving your retirement benefits. You must be eligible to retire (required number of years of service and required age) to enroll in DROP. Your retirement benefit is calculated as of your DROP date and deposited into a DROP account monthly while you continue to work and receive all the benefits of an active employee.

When you retire, the monthly amount being deposited into your DROP account becomes your monthly retirement benefit. At retirement you also decide how you wish to receive the balance in your DROP account, as a lump sum withdrawal or as a monthly payment over ten years.

Post Retirement Supplemental Benefit (PRSB)

The PRSB is the result of a surplus revenue sharing agreement between the retirement systems and the City. Every year the retirement system's actuary performs an evaluation which determines the amount of surplus earnings in each system. Based on the actuarial findings an amount is shared among the retirees. The PRSB is designed to assist retirees in affording health care insurance; although retirees may decide how they will use the extra benefit with the understanding that the amount will fluctuate depending on system earnings and may even cease.

For More Information

If you have questions or need specific information, consult your Retirement Handbook then contact the Retirement Office.

HEALTH CARE BENEFITS

Eligibility

City employees are covered by one of two health care plans. Both plans are "composite plans" which cover the family regardless of size for a single premium. Employees and their dependents become eligible for health care benefits on the first day of the month following one full calendar month of employment. Children remain eligible until they reach the age of 19 (25 if they are continuously enrolled as full time students).

Local 39 Health Plan

Employees represented by Stationary Engineers Local 39 are covered by a health plan that is administered by Associated Third Party Administrators (ATPA). The City pays the full premium for this insurance up to an agreed maximum per month per employee, but there are co-payments required for some services. The plan should have been explained to you during your new employee orientation. If you have questions, call ATPA at (559) 275 5562.

Vision and dental benefits for employees in this group are handled directly through Associated Third Party Administrators Inc. Questions should be directed to ATPA at (559) 275 5562.

Health And Welfare Trust

Other City employees are members of the Fresno City Employees Health and Welfare Trust which is self-insured, but administered by HealthComp Inc. The City pays the premium for your health care coverage. You should have had the plan explained to you during your new employee orientation. If you have questions, contact HealthComp Inc. at (559) 499 2450.

Selecting coverage or making changes

You will be asked to fill out paperwork for your health plan on your first day at work. This will include making some choices about coverages, treating physicians, etc. You have 30 days to make any changes to this paperwork before it is finalized. You will also have an opportunity to make changes in coverage during the month of May every year. You may change treating physicians by simply notifying your plan of the change.

COBRA Benefits - Health Care Continuation

Under most circumstances which would cause your health care benefits to end, there is a provision made to extend those benefits to give you a chance to get other coverage. This is known as the COBRA Program - if you leave your City job, you may be eligible to continue to purchase health care coverage. If you get a divorce, a child turns 19, or you die, your affected dependents are eligible to continue to purchase health care coverage. There are a number of rules and restrictions which apply to this program. If you have questions, contact Human Resources for more information.

HIPAA Benefits - Health Insurance Portability

Any time that you, as a covered employee, lose your health care coverage, you have certain rights under the Health Insurance Portability and Accountability Act. At the time you lose coverage, or within 24 months, you can request a Certificate of Creditable Coverage from your health care insurer. This Certificate will show details of the coverage you had, and how long you had it. This "creditable coverage" can then be applied to the waiting periods for "pre-existing conditions" restrictions when you get health care coverage through your new employer. If you have questions about HIPAA, contact your health plan administrator.

EMPLOYEE SERVICE AWARDS

Employees who have completed ten years of City service receive an award certificate in recognition of their service. They receive another award certificate at the completion of each additional five years of service.

Many departments have a quarterly employee recognition program which provide incentives for superior performance through recognition of outstanding employees. These programs are administered differently in each department, so ask your supervisor about what your department does.

ANNUAL CHARITY DRIVE

Every Fall, the City Manager's Office will coordinate an annual Combined Charity Drive. There will be a representative appointed for your division or department who will provide you with information about all of the charity organizations who are represented. You will have an opportunity to make a one-time donation or arrange for a payroll deduction to the organization of your choice.

CREDIT UNIONS

There are three credit unions which admit City employees: the Fresno Police Department Credit Union, (FPDCU) the Fresno Fire Department Credit Union, (FFDCU) and the Fresno County Federal Credit Union. At this time, the Police Department Credit Union is the only one which has opened its membership to other employee groups. FPDCU will accept both Fresno City Employees Association and Management and Confidential Group members. At this time the FFDCU is still strictly for Firefighters.

Of course, if you are already a member of some other credit union, you may continue your membership there as long as you like. Most credit unions will allow you to deposit your paycheck automatically.

RECEIPT

Name _____

Dept./Div _____

I have received a copy of the Employee Handbook , the Retirement System Handbook, a packet of information on my health care benefits, a copy of the City's policy on Employment Discrimination and Sexual Harassment, and the City's Drug Policy. I understand that it is my responsibility to read these documents and abide by their contents. I am aware that if I have any questions, I am to contact my supervisor or the Human Resources Department.

During New Employee Orientation, this material was reviewed with me and any questions I had at that time were answered to my satisfaction.

The Employee Handbook is not an employment contract. I understand that the City of Fresno does not enter into contracts of employment for specific lengths of time. Employees retain the right to voluntarily leave employment at any time upon proper notice. The City retains its right to terminate an employee at any time as provided in its various rules, regulations, and administrative instructions. It should be understood that neither this handbook nor any other City documents are contracts of employment. Any oral or written statement to the contrary is unauthorized and specifically disavowed, and should not be relied upon. The contents of this handbook may be modified at any time at the sole discretion of the City.

Date: _____

Signature: _____